

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

January 22, 2003

DIVISION ONE

Court convened at 9:00 a.m.

Present: Spencer, P.J., Ortega, J., Mallano, J. and D. Nolan, Deputy Clerk.

Each of the following:

B158837 In re Regina W./DCFS v. Lavelle C.

B158946 DCFS v. William L., Jr.

B159235 DCFS v. Javier M.

Argument waived, cause submitted.

B156662 Aimee Truong
 v.
 Target Corporation

Merits:

Argued by David F. McDowell for respondent with no appearance by counsel for appellant. Counsel waives the presence of Vogel, J.
Cause submitted.

B154366 Allstage Construction , Inc.
 v.
 CSKG America, LLC

Merits:

Argued by Mark C. Hargan for appellant and by Barry Von Sickle for cross-appellant. Counsel waives the presence of Vogel, J.
Cause submitted.

B148722 Arthur G. Lawrence
 v.
 Kenneth Evan Chyten

Merits:

Argued by Lorraine Howell for appellant and by Michael G. Dawe for respondent. Cause submitted.

DIVISION ONE (Continued)

B157822 Los Angeles County, D.C.S.

v.

Patrick K.

In re Karissa K., a minor

Merits:

Argued by Steven Schatz for appellant and by Lois Timnick Deputy County Counsel for respondent. Cause submitted.

B154273 Timothy Brian Adams

v.

Explorer Insurance Company, et al.

Merits:

Argued by Gennady L. Lebeder for appellant and by Alan B. Yuter for respondents. Cause submitted.

B155521 Delia Castanon

v.

Coin Meter Washer Service, Inc., et al.

Merits:

Argued by Gregory Givens for respondents with no appearance by Nick Alden for appellant Cause submitted.

B162910 Deborah G.

v.

Superior Court, Los Angeles County
(Los Angeles County Department of
Children and Family Services, r.p.i.)

Merits:

Argued by Deborah G., petitioner in propria persona and by Kenneth Reynolds, Deputy County Counsel for real party in interest. David Step appeared for minor Terrell A. Cause submitted.

January 22, 2003 (Continued)

DIVISION ONE (Continued)

B153239 Ib Melchior
v.
New Line Productions, Inc.

Merits:
Argued by Don Prichard for appellant and by Saul D. Brenner for respondent. Cause submitted.

Court adjourned.

B155068 People (Not for Publication)
v.
Granville T.

The judgment is affirmed.

Ortega, J.

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

DIVISION THREE

B155097 People (Not for Publication)
v.
Hackett

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

B158300 People (Not for Publication)
v.
Odom

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

DIVISION THREE (Continued)

B153064 David Zweig, et al. (Not for Publication)
 v.
 Yuna Kwon, et al.

The judgment is affirmed. Respondent(s) to recover costs.

Kitching, J.

We concur: Klein, P.J.
 Croskey, J.

B158138 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Amy G.

The judgment is affirmed.

Kitching, J.

We concur: Klein, P.J.
 Aldrich, J.

B158124 Alan Thaler (Not for Publication)
 v.
 Shernoff, Bidart, Darras & Arkin, etc. et al.

The judgment is affirmed. Respondent(s) to recover costs.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

B150912 City of Burbank, et al.
B151175 v.
B152562 State Water Resources Control Board, et al.

Filed order granting petitioner for rehearing on the Court's own motion.
Petitioners' petition for rehearing denied.

DIVISION FOUR

B161753 Tom B. (Not for Publication)
v.
Superior Court, Los Angeles County
(D.C.F.S., r.p.i.)

The petition is denied.

Epstein, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

B156437 People (Not for Publication)
v.
Perez, et al.

The judgments are affirmed.

Hastings, J.

We concur: Epstein, Acting P.J.
Curry, J.

B154749 People (Not for Publication)
v.
Garcia

The judgment is affirmed.

Hastings, J.

We concur: Vogel (C.S.), P.J.
Curry, J.

B153104 Best Diamond Imports, Inc. (Not for Publication)
v.
Lloyd's Insurance et al.

The judgment is affirmed. Respondent(s) to recover costs.

Epstein, Acting P.J.

We concur: Hastings, J.
Curry, J.

January 22, 2003 (Continued)

DIVISION FOUR (Continued)

B157241 Mirzaie (Not for Publication)
v.
Eisenstein, et al.

The judgment is affirmed. The request for sanctions is denied. Respondents to have their costs on appeal.

Epstein, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

B153388 Valencia
v.
Garcia

Filed order denying petition for rehearing.

B154919 Coast Plaza Doctors Hospital (Certified for Partial Publication)
v.
UHP Healthcare

Filed order modifying opinion and certifying opinion for partial publication. (No change in the judgment)

DIVISION FIVE

B151932 People (Not for Publication)
v.
Ricardo Baires

The judgment is affirmed.

Mosk, J.

We concur: Grignon, Acting P.J.
Armstrong, J.

DIVISION FIVE (Continued)

B158947 Los Angeles County, D.C.S. (Not for Publication)
v.
Anjeanette B.
In re: Alynn T.

The May 20, 2002, order denying without prejudice the Welfare and Institutions Code section 388 petition filed by Anjeanette B. is affirmed.

Turner, P.J.

We concur: Armstrong, J.
Mosk, J.

B157258 People (Not for Publication)
v.
Jaime Benjamin Orozco

The clerk of the superior court is directed to prepare and deliver to the Department of Corrections an amended abstract of judgment, which accurately set forth defendant's conviction for attempted sexual battery on an institutionalized person, pursuant to Penal Code sections 243.4, subdivision 243.4, subdivision (b), and 664. The judgment is affirmed in all other respects.

Turner, P.J.

We concur: Grignon, J.
Mosk, J.

B158965 Domenic Ciccarelli, a Minor, etc. (Not for Publication)
v.
Blue Cross of California

The judgment is affirmed. Respondent(s) to recover costs.

Turner, P.J.

We concur: Grignon, J.
Mosk, J.

DIVISION FIVE (Continued)

B157338 People (Not for Publication)
v.
Jesus Zapata Nunez

The clerk of the superior court is directed to prepare and deliver to the Department of Corrections and amended abstract of judgment, which accurately sets forth defendant's sentence in count 3 to include a 20-year-to-life term pursuant to Penal Code section 12022.53, subdivision (c). The judgment is affirmed in all other respects.

Turner, P.J.

We concur: Grignon, J.
Mosk, J.

B157738 People (Not for Publication)
v.
Kerry Cecil

The judgment is modified to reflect credit for 128 days actual presentence custody plus 64 days of conduct credit for a total presentence custody credit of 192 days. In all other respects, the judgment is affirmed. The clerk of the superior court is directed to amend the abstract of judgment to reflect the revised custody credits and to forward a copy of the amended abstract to the Department of Corrections.

Turner, P.J.

We concur: Grignon, J.
Armstrong, J.

B158235 People (Not for Publication)
v.
Miguel Olivares DeMarcos

The clerk of the superior court is directed to prepare and deliver to the Department of Corrections an amended abstract of judgment which accurately sets forth that defendant was sentenced pursuant to Penal Code section 667.61. The judgment is affirmed in all other respects.

Turner, P.J.

We concur: Armstrong, J.
 Mosk, J.

DIVISION SIX

B158416 Settle mire (Certified for Publication)

v.

San Luis Obispo Superior Court
(Settle mire, R.P.I.)

Let a writ of mandate issue directing respondent superior court to vacate its order sending the matter for a reference hearing and to enter a new order that specifies the factual issues to be resolved.

The order to show cause and the stay, having served their purposes, are dissolved. The parties are to bear their own costs.

Gilbert, P.J.

We concur: Yegan, J.
 Coffee, J.

B159474 In re Joselina M., a Juvenile (Not for Publication)

San Luis Obispo County Department of Social Services,

v.

Celia M.

The orders denying modification and terminating parental rights are affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Yegan, J.

B152175 People (Not for Publication)

v.

Abraham

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Coffee, J.

January 22, 2003 (Continued)

DIVISION SIX (Continued)

[illegible]

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Perren, J.

DIVISION SEVEN

B148398 Venegas
v.
County of Los Angeles

Filed order certifying opinion for full publication.

January 22, 2003 (Continued)

DIVISION SEVEN (Continued)

1-22-03

118372-03

THE HONORABLE AURELIO MUNOZ, Judge of the Superior Court of California, County of Los Angeles, is hereby assigned to assist the Court of Appeal, Second Appellate District, **Division SEVEN**, as a justice thereof, on the following date(s):

February 1, 2003 To March 31, 2003

and until completion and disposition of all causes and matters submitted pursuant to this assignment including, in necessary by reason of a vacancy or disqualification of a Court of Appeal justice, all petitions for rehearing arising out of such causes and matters.

This assignment does not extend to any matter in which the panel would be composed of two justices pro tempore.

January 17, 2003

Ronald M George
Chief Justice of California and
Chairperson of the Judicial council

DIVISION EIGHT

B156058 People
 v.
 Waggoner

Filed order denying petition for rehearing.